



## PATENT APPLICATION

In the United States Patent and Trademark Office

Applicant: Magnus Wiethoff  
Docket No.: 10034.547  
Date: June 25, 2008  
Application No.: 10/592,917  
Int'l Filing Date: March 19, 2005  
Art Unit:  
Examiner:  
For: DEVICE AND METHOD FOR RECOGNIZING PARTICLES IN MILK

### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

On June 25 2008  
Signature Jeffrey W. Smith

Jeffrey W. Smith, Reg. No. 33455  
Name of Applicant, assignee or Registered Representative

### INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant requests that this Information Disclosure Statement be considered because it has been filed within the following time period:

*37 C.F.R. §1.97(b)*

- \_\_\_\_\_ Within three months of the filing date of a national application other than a continued prosecution application under §1.53(d);
- \_\_\_\_\_ Within three months of the date of entry of the national stage as set forth in §1.491 in an international application;
- x   Before the mailing of a first Office Action on the merits;
- \_\_\_\_\_ Before the mailing of a first Office Action after the filing of a request for continued examination under §1.114;

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37 C.F.R. §1.97(c)(d)

\_\_\_\_\_ Before the mailing of any of a final action under §1.113;

\_\_\_\_\_ Before a notice of allowance under §1.311;

\_\_\_\_\_ An action that otherwise closes prosecution in the application; or

\_\_\_\_\_ Filed on or before payment of the issue fee

And is accompanied by a:

Statement specified in §1.97(e):

\_\_\_\_\_ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

\_\_\_\_\_ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

\_\_\_\_\_ The fee set forth in §1.17(p).

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In accordance with 37 C.F.R. §1.56, Applicant calls the attention of the Examiner to the following documents:

United States Patents

<u>U.S. Patent No.</u>	<u>Patentee</u>	<u>Issue/Publication Date</u>
US 2003/0183174 A1	Oosterling et al.	10-02-2003
6,571,731	Maier, Jr.	06-03-2003
6,578,516	Oosterling et al.	06-17-2003

Foreign Patent Documents

<u>Patent No.</u>	<u>Issue/Publication Date</u>	<u>Patentee</u>
WO 00/27183	05-18-2000	Glensbjerg
DD 252 531 A1	12-23-1987	Richter et al.
DD 293 429 A5	08-29-1991	Tesch et al.
DE 101 31 781 C1	10-31-2002	Redetzky
DE 199 21 777 A1	11-23-2000	Maier
EP 1 126 757 B1	11-27-2002	Glensbjerg
EP 1 273 224 A1	01-08-2003	Redetzky
EP 1 287 737 A2	03-05-2003	Kaever et al.

Other Documents

German Search Report, January 28, 2005, 3pp.

English language Abstract, Translated Description and Claims of DE 101 31 781 C1, European Patent Office's esp@cenet.com database, 8pp.

English language Abstract (corresponding to DE 10 131 781), Translated Description and Claims of EP 1 273 224, European Patent Office's esp@cenet.com database, 12pp.

English language Abstract, Translated Description and Claims of EP 1 287 737, European Patent Office's esp@cenet.com database, 9pp.

**Please note that the "Translated Description and Claims" referenced above are downloaded from the European Patent Office's esp@cenet.com database, and are not**

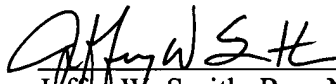
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**translations obtained or certified by Applicant. The European Patent Office site indicates that the translations are made automatically by WorldLingo Translations.**

Copies of these documents are submitted herewith along with Form PTO/SB 08a and PTO/SB 08b.

Applicant respectfully requests that these documents be expressly considered during the prosecution of this application and made of record herein and appear among the "documents cited" on any patent to issue herefrom.

Respectfully submitted,

  
\_\_\_\_\_  
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